

Article 7. Farmers**§66262.70. Farmers.**

(a) Waste pesticide, which meets the definition of hazardous waste, including rinsate generated pursuant to subsection (b) of this section, generated as part of a commercial farming operation is not required to be managed in compliance with the standards in this chapter or chapters 14, 15, 18 or 20 of this division, provided the waste pesticide is applied as part of a commercial farming operation in a manner consistent with the use instructions on the pesticide label.

(b) Pesticide containers, or inner liners from pesticide containers, generated by a commercial farming operation shall not be regulated as hazardous waste if the container or inner liner is emptied by removing all of the contents that can be removed by draining, pouring, pumping or aspirating, and the container or inner liner is triple rinsed with a liquid capable of dissolving the pesticide which the container held; and

(1) the container or inner liner is punctured, shredded, crushed or otherwise similarly changed so as to prevent subsequent use or reuse, and is disposed of; or

(2) the container is punctured, shredded, crushed or otherwise similarly changed so as to prevent subsequent use or reuse, and is recycled by reclaiming its scrap value; or

(3) the container is reused in accordance with the provision of Health and Safety Code section 25143.2(d)(6).

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code, 40 CFR section 262.70 and 40 CFR section 261.7.

HISTORY

1. New section filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

2. Change without regulatory effect relocating appendix to end of chapter filed 4—21—2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 16).